

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 10, 2003

DIVISION FOUR

B151945 Korean Philadelphia Presbyterian Church, et al. (Not for Publication)
v.
The California Presbytery, et al.

B158402 Korean Philadelphia Presbyterian Church, et al.
v.
James Insoo Cho, et al.

The judgments in the consolidated cases are reversed. The matter is remanded for further proceedings in accordance with the instructions set forth herein. Costs to appellants.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B160909 People (Not for Publication)
v.
Cruzata

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

B162151 People (Not for Publication)
v.
Gonzalez, et al.

The judgment is affirmed and restitution order is reversed only insofar as the trial court concluded *People v. Harvey*, supra, 25 Cal.3d at page 758 limited its discretion in setting the amount of restitution. Upon issuance of the remittitur, the trial court is to exercise its discretion in terms of the pre-September 1, 1999, losses.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B158282 Kedzior
v.
Atha

Merits:
Argued by Martha J. Gillesby for appellant and by Kevin Anderson for respondents. Cause submitted.

B164080 Dietstel
v.
Templeton

Merits:
Argued by Frank J. Lozoya for appellants and by Robert C. Reback for respondent. Cause submitted.

DIVISION SIX (Continued)

B165339 Richard
 v.
 Drehlsen, M.D.

Merits:
Argued by Lawrence M. Schulner for appellants and by Michael D. Gonzalez for respondent. Cause submitted.

B159971 Robalino
 v.
 Meronk

Merits:
Argued by Melinda Hedin for appellant and by Edmund G. Farrell for respondent. Cause submitted.

B165204 Skinner
 v.
 Registrar of Contractors

Merits:
Argued by Ray Skinner, appellant, appearing in propria persona and by Gillian E. Friedman, Deputy Attorney General, for respondent. Cause submitted.

B154079 Baum
 v.
 Smart & Final Stores Corp.

Merits:
Argued by Wendy C. Lascher for appellant / cross-respondent and by Nicholas Phillip Connon for respondent / cross appellant. Cause submitted.

DIVISION SIX (Continued)

B158910 Staton
 v.
 Gable Real Estate, Inc.

Merits:
Argued by Michael D. Kwasigroch for appellant and by Robert J. Carlson
for respondent. Cause submitted.

Court recessed at 11:20 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B164548 Godfrey v. McMeekin

Argument waived, cause submitted.

B158972 Seminis, Inc. v. Schmidt

Argument continued to November, 2003.

B163521 Human Services Agency
 v.
 Mark S.

Merits:
Argued by Joseph J. Randazzo, Assistant County Counsel, for respondent.
Argument previously waived by appellant Mark S. Cause submitted.

B164955 Human Resources Agency
 v.
 Patricia H.

Merits:
Argued by Joseph J. Randazzo, Assistant County Counsel, for respondent.
Argument previously waived by appellant. Cause submitted.

DIVISION SIX (Continued)

B161104 Palmer
v.
Harden

Merits:

Argued by Jon Harden, appellant, appearing in propria persona and argument previously waived by respondent. Cause submitted.

B163506 Livermore
v.
Craine

Merits:

Argued by Dennis J. Shea for appellant, by C. Michael Cooney for respondent Heidi M. Craine, and by Kay S. Kuns for respondent Roger P. Craine. Cause submitted.

Court recessed at 2:40 P.M.

Court reconvened at 2:45 P.M.

Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Deputy Clerk.

B161718 Doyle
v.
Wiggins

Merits:

Argued by Donna Doyle, appellant, appearing in propria persona and by Kim Schumann for respondent. Appellant granted leave to serve and file 15 additional items on for before September 24, 2003, at which time the matter will stand submitted.

Court adjourned at 3:10 P.M.

DIVISION SEVEN

B163635 Los Angeles County, D.C.S. (Not for Publication)
v.
Gabriela H.
In re Apolinar F.

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.

B160383 People (Not for Publication)
v.
Rodriguez

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
 Woods, J.

B160345 People (Not for Publication)
v.
Susan P.

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.

September 10, 2003 (Continued)

DIVISION SEVEN (Continued)

B161169 People (Not for Publication)
v.
Walker-Bey

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
Woods, J.

B162562 People (Not for Publication)
v.
Castaneda

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
Woods, J.

[illegible]

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.

September 10, 2003 (Continued)

DIVISION SEVEN (Continued)

B163161 People (Not for Publication)
v.
Stogsdill

The judgment is reversed and the cause is remanded with instructions to the trial court to set aside Stogsdill's no contest plea and to proceed not inconsistent with this opinion.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
Johnson, J.

B157613 Pacific Ballers Club (Not for Publication)
v.
CSKG America

The part of the judgment awarding punitive damages is reversed. That part of the judgment against Grace Cheung is reversed. In all other respects, the judgment is affirmed. Defendants are awarded costs on appeal.

Woods, J.

We concur: Perluss, P.J.
Munoz, J. (Assigned)

B159446 People (Not for Publication)
v.
Rivera

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.

September 10, 2003 (Continued)

DIVISION SEVEN (Continued)

B164242 People (Not for Publication)
v.
Ayala

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Munoz, J. (Assigned)

B162314 People (Not for Publication)
v.
Frank

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Munoz, J. (Assigned)

B160657 People (Not for Publication)
v.
Arellanes

The judgment is reversed.

Johnson, Acting P.J.

We concur: Woods, J.
Munoz, J. (Assigned)

September 10, 2003 (Continued)

DIVISION SEVEN (Continued)

[illegible]

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

[illegible]

The judgment is affirmed. The clerk of the superior court is ordered to prepare and send to the California Department of Corrections a modified abstract of judgment commensurate with the nunc pro tunc order of May 16, 2003.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

B157628 People (Not for Publication)
v.
Carroll and Cunningham

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

September 10, 2003 (Continued)

DIVISION SEVEN (Continued)

B166969 Kimberly K. (Not for Publication)

V.
Superior Court, Los Angeles County
(In re Christian K., r.p.i.)

Because substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, the petition is denied on the merits.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

B160658 Aguilar (Not for Publication)

V.
Del Taco

The judgment is reversed and the cause remanded for further proceedings consistent with this opinion. Appellant is entitled to recover her costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
Woods, J.

B164526 Los Angeles County, D.C.S. (Not for Publication)

V.
L.M.

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Munoz, J. (Assigned)